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NOVEMBER 20, 1972

TO: R. T. KENNEDY, THE WHITE HOUSE
FROM: HENRY A. KISSINGER

HAK TO 10

*Kennedy
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PLEASE PASS THE FOLLOWING MESSAGE TO BUNKER VIA BUNKER CHANNEL.

TO: AMBASSADOR BUNKER, SAIGON - FLASH..DELIVER OPENING OF BUSINESS
FROM: HENRY A. KISSINGER

AT 1830 OUR TIME NOVEMBER 20 HAIG, PORTER, SULLIVAN AND I MET WITH LAM, PHUONG, PHONG AND VUONG VAN BAC (VIETNAMESE AMBASSADOR TO LONDON) TO REPORT ON DAY'S SESSION WITH NORTH VIETNAMESE. MEETING WAS CORDIAL AND I IMPRESSED UPON SOUTH VIETNAMESE REPRESENTATIVES ACTION WHICH WE HAD TAKEN TO MEET GVN REQUIREMENTS ON DRAFT AGREEMENT.

I STRESSED THAT NORTH VIETNAMESE HAD INDICATED CONSIDERABLE RESISTANCE TO CHANGES WHICH WE HAD PROPOSED AND BESPOKE NEED FOR SAIGON TO ADOPT ATTITUDE OF NEGOTIATING FLEXIBILITY DURING DAYS IMMEDIATELY AHEAD. I EMPHASIZED REQUIREMENT THAT SAIGON FOCUS ON VARIOUS CONTROL AND SUPERVISION PROTOCOLS WHICH WE HAVE PROVIDED TO GVN AND TO WHICH THEY HAVE NOT YET OFFICIALLY REACTED.

I THEN PROVIDED GVN REPRESENTATIVES WITH FOLLOWING MEMORANDUM WHICH
CONSTI-
TUTES GIST OF OUR REPORT CONCERNING DAY'S ACTIVITIES.

BEGIN TEXT.

MEMORANDUM REPORT ON NOVEMBER 20 MEETING

WE MET WITH THE DRV DELEGATION FROM 10:30 A.M. UNTIL 4:00 P.M. WITH A LUNCHEON BREAK OF LESS THAN ONE HOUR. PRESENT ON THE DRV SIDE WERE LE DUC THO, XUAN THUY AND NGUYEN CO THACH, VICE MINISTER FOR FOREIGN AFFAIRS, AS WELL AS THEIR USUAL GROUP OF EXPERTS.

LE DUC THO OPENED THE MEETING BY READING A LENGTHY STATEMENT ACCUSING US OF LACK OF GOOD WILL, SERIOUSNESS OF PURPOSE AND OTHER SIMILAR DEFICIENCIES. HE CLAIMED THAT WE HAD BROKEN OUR PROMISES CONCERNING WHAT HE CALLED AN AGREEMENT TO SIGN THE TEXT ON OCTOBER 31. DR. KISSINGER THEN FOLLOWED WITH A REBUTTAL OF THO'S ACCUSATIONS, CITING VARIOUS STATEMENTS WE HAD PREVIOUSLY MADE RESERVING OUR POSITION ON THE TIME SCHEDULE AND ON THE NEED FOR CONSULTATION WITH OUR ALLIES. THIS EXCHANGE CONSUMED THE ENTIRE MORNING SESSION.

THE AFTERNOON SESSION BEGAN BY LE DUC THO INVITING DR. KISSINGER TO PROVIDE THE DRV WITH THE PRECISE CHANGES WHICH WE WISHED TO MAKE IN THE PREVIOUSLY NEGOTIATED TEXT. AT THIS POINT DR. KISSINGER THEN WENT THROUGH THE AGREEMENT ARTICLE BY ARTICLE INTRODUCING ALL THE CHANGES THAT WE AND THE GVN HAVE PREVIOUSLY DISCUSSED, INCLUDING THE MOST RECENT ONES CONTAINED IN THE MEMORANDUM WHICH WAS GIVEN TO AMBASSADOR BUNKER ON NOVEMBER 18. IN TOTAL WE PRESENTED 69 SPECIFIC CHANGES TO THE TEXT. LE DUC THO TOOK NOTE OF ALL THESE CHANGES WITHOUT SPECIFIC COMMENT, EXCEPT FOR A SARCASTIC REMARK ABOUT THEIR "TECHNICAL NATURE." WE FURTHER ARRANGED THAT OUR EXPERTS WOULD GO TO THEIR VILLA AT 7:30 THIS EVENING TO REVIEW THE PROPOSED CHANGES IN DETAIL IN ORDER TO BE CERTAIN THAT THERE IS TEXTUAL ACCURACY IN THEIR PRESENTATION.

LE DUC THO THEN TURNED TO A SERIES OF QUESTIONS WHICH HE ADDRESSED TO DR. KISSINGER ON VARIOUS SUBJECTS. THESE INCLUDED INQUIRIES CONCERNING THE MANNER IN WHICH WE EXPECTED TO MAKE THE CESSATION OF HOSTILITIES IN LAOS AND CAMBODIA AS NEARLY SIMULTANEOUS AS POSSIBLE WITH THE CEASEFIRE IN VIETNAM. ADDITIONALLY HE ASKED QUESTIONS CONCERNING THE MANNER IN WHICH WE EXPECTED TO ORGANIZE AND ESTABLISH THE VARIOUS CONTROL COMMISSIONS AS WELL AS THE MANNER IN WHICH WE EXPECTED TO ACCOMPLISH THE RELEASE AND RETURN OF AMERICAN PRISONERS AND FOREIGN CIVILIANS HELD BY THE COMMUNISTS.

IN DISCUSSING THE QUESTION OF THE CONTROL COMMISSIONS DR. KISSINGER INFORMED LE DUC THO THAT WE WISHED TO HAVE PROTOCOLS CONCERNING THESE COMMISSIONS AGREED AND SIGNED IN PARIS AT THE SAME TIME AS THE SIGNATURE OF THE BASIC AGREEMENT ON ENDING THE WAR. LE DUC THO ASKED TO BE GIVEN COPIES OF THE DRAFT PROTOCOLS WHICH WE HAD PREPARED AND DR. KISSINGER UNDERTOOK TO DO THIS AS SOON AS POSSIBLE. LE DUC THO SPECIFICALLY ASKED WHETHER WE COULD PROVIDE THEM TOMORROW.

IN THE INFORMAL CONVERSATION WHICH TOOK PLACE DURING THE LUNCHEON BREAK DR. KISSINGER IMPRESSED UPON LE DUC THO THE IMPORTANCE WHICH THE GVN ATTACHES TO THE QUESTION OF NORTH VIETNAMESE TROOPS IN SOUTH VIETNAM AND INDICATED THAT IN OUR JUDGMENT A RESOLUTION OF THIS PROBLEM WHICH WOULD CONFORM TO THE PRINCIPLES WE HAVE PREVIOUSLY STATED WAS THE CENTRAL ISSUE THAT WE FORESAW IN THESE CURRENT NEGOTIATIONS.

WE AGREED UPON ADJOURNING TODAY'S SESSION THAT WE WOULD MEET TOMORROW AT 3:00 P.M., LEAVING THE DRV ADEQUATE OPPORTUNITY TOMORROW MORNING TO STUDY THE VARIOUS CHANGES WE HAVE PROPOSED AND TO PREPARE THEIR REACTIONS TO OUR SUGGESTIONS. END TEXT

AFTER GIVING THE MEMO I RECALLED ALSO THAT I HAD WARNED LE DUC THO SPECIFICALLY AGAINST UPSURGE OF MILITARY ACTIVITY AROUND TIME OF CEASEFIRE. I WARNED WE WOULD REACT TO ANY VIOLATION WITH EXTREME VIOLENCE AND IT WAS NOT IN EITHER'S INTEREST THAT ANYTHING HAPPEN TO CREATE THIS SITUATION. THIS WAS ANOTHER REASON WE WANTED AGREEMENT PRECISE.

AT END OF SESSION WITH SOUTH VIETNAMESE I STRESSED THEY SHOULD DO UTMOST TO GET SAIGON IN CORRECT FRAME OF MIND: THIS IS NOT WEEK TO FIGHT WASHINGTON BUT WEEK TO WORK WITH US TO GET BEST POSSIBLE AGREEMENT. WE ARE NOW IN A CONCRETE NEGOTIATION. DRV WILL NOT ACCEPT ALL OUR CHANGES AND WILL BE MAKING SPECIFIC COUNTER-PROPOSALS. WE WILL CONSULT METICULOUSLY WITH SAIGON BUT WILL NEED RAPID RESPONSE FROM THEM. IF THERE IS ANY DRV FLEXIBILITY WE CAN EXPLOIT IT ONLY IF WE DO NOT SHOW SIGNS OF STALLING.

WARM REGARDS.

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